UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,619	02/02/2001	Makoto Hara	2091-0232P	6945

2292 7590 07/03/2006		EXAMINER
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FALLS CHURCH, VA 22040-0747	ART UNIT	PAPER NUMBER
	2625	

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/773,619	HARA, MAKOTO
	Examiner	Art Unit	
	Satwant K. Singh	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 April 2006*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 February 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This office action is in response to the amendment filed on 10 April 2006.

Response to Arguments

2.   Applicant's arguments filed 10 April 2006 have been fully considered but they are not persuasive. Applicant argues that the spooler 410 in the prior art reference of Leong et al. (US 6,687,018) is being used as a "customer service system" as required by Claims 1 and 8. Examiner respectfully disagrees. The "customer service system" as required by claim 1 is actually client 200 in the prior art of Leong et al. The server system 400 which includes the spooler 410 is actually being used as the "order assigning system existing between the customer service system and the laboratory servers (output devices 500 in the prior art of Leong)".

3.   In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Applicant feels that there is not sufficient reason to combine the prior art references of Leong et al with Redd et al. (US 6,646,754). Examiner respectfully disagrees. The motivation for combining the two references is to allow a user to upload the print job to the client

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computer (customer service system in the claimed invention) prior to submitting the print

job to the order assigning system.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Leong et al. (US 6,687,018) in view of Redd et al. (US 6,646,754).

6.   Regarding Claim 1, Leong et al teach a printing system comprising: at least one

customer service representing the content of an order of a customer for a print (client

200) (print requests from one or more clients 200) (col. 4, lines 4-18); a plurality of

laboratory servers (output devices 500) for outputting the print based on the order

information transferred via the network from the customer service system that has

received the order information (supervisor 420 delivers data to the various output

devices 500) (col. 4, lines 19-28); and an order assigning system (server system 400)

existing between the at-least-one customer service system and the laboratory servers,

for receiving the order information from the customer service system (spooler 410

receives print requests from one or more clients 200), for selecting one of the laboratory

servers to output the print based on predetermined information, and for transferring the

order information to the selected laboratory server (supervisor 420 delivers data to the

various output devices 500) (col. 4, lines 4-41).

Leong et al fail to teach a printing system comprising: at least one customer

service system for receiving, via a network, order information representing the content

of an order of a customer for a print.

Redd et al teach a printing system comprising: at least one customer service

system for receiving, via a network, order information representing the content of an

order of a customer for a print (web front computer system receives customer input or

requests from the network 310) (col. 10, lines 32-36).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to have combined the teachings of Leong with the teaching of Redd to

upload the content of the print job to the client for printing at one of several output

devices.

7.   Regarding Claim 2, Leong et al teach a printing system, the customer service

system transferring the order information and flow information representing a flow of the

print to the order assigning system, and the order assigning system using the flow

information as the predetermined information (supervisor 420 receives the print jobs

from the spooler 410, interprets the print jobs for print instructions and parameters,

passes the print data, instructions and parameters to the appropriate output device 500,

and handles any responses made by the output device 500) (col. 4, lines 4-24).

8.   Regarding Claim 3, Leong et al teach a printing system, wherein the order

assigning system detects a load status of each of the laboratory servers at the time of

receiving the order information and uses a result of the detection as the predetermined

information (Fig. 6, S800).

9.   Regarding Claim 4, Leong et al fail to teach a printing system, wherein the
predetermined information is an address of the customer included in the order
information.

10.   Redd et al teach a printing system, wherein the predetermined information is an
address of the customer included in the order information (Fig. 7, address field
displaying the recipient's address) (col., 17, lines 10-39)

11.   Therefore it would have been obvious to one of ordinary skill in the art at the time
of the invention to have combined the teachings of Leong with the teaching of Redd to
have included the address of the customer in the information uploaded to the client.

12.   Regarding Claim 6, Leong et al fail to teach a printing system, wherein the
predetermined information is the content of the order included in the order information.

        Redd et al teach a printing system, wherein the predetermined information is the
content of the order included in the order information (fig. 5, Step 404).

        Therefore, it would have been obvious to one of ordinary skill in the art at the
time of the invention to have combined the teachings of Leong with the teaching of
Redd to allow the customer to select the print parameters of the uploaded images.

13.   Regarding Claim 7, Leong et al teach a printing system, the order assigning
system transferring information related to the selected laboratory to the customer
service system that received the order information (spooler 410 can also receive client
management requests that apply to the spooler 410 or to spooler elements, which
include the logical printers 412), the customer service system generating selection
information for determining a desired one of the laboratory servers based on the

information and transferring the selection information to the order assigning system

(performance characteristics that may be requested by a client in a print job and based

on characteristics of the associated physical printers) (col. 3, lines 64-67, col. 4, lines 1-

3), and the order assigning system using the selection information as the predetermined

information (supervisor 420 receives the print jobs from the spooler, interprets the print

jobs for print instructions and parameters, passes the print data, instructions and

parameters to the appropriate output device 500) (col. 4, lines 4-41).

14.   Regarding Claim 8, Leong et al teach a printing system comprising: a plurality of

laboratory servers for outputting a print (output devices 500); and at least one order

receiving assigning system comprising a customer service system (client 200) (print

requests from one or more clients 200) (col. 4, lines 4-18) and an assigning system

(server system 400), for selecting, based on predetermined information (spooler 410

receives print requests from one or more clients 200), one of the laboratory servers to

receive the order information, and for transferring the order information to the selected

laboratory server (supervisor 420 delivers data to the various output devices 500) (col.

4, lines 4-41).

15.   Leong et al fail to teach a printing system comprising: a customer service system

for receiving order information from a customer via the network.

        Redd et al teach a printing system comprising: a customer service system for

receiving order information from a customer via the network (web front computer system

receives customer input or requests from the network 310) (col. 10, lines 32-36).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to have combined the teachings of Leong with the teaching of Redd to

upload the content of the print job to the client for printing at one of several output

devices.

16.   Claim 9 is rejected for the same reason as claim 2.

17.   Claim 10 is rejected for the same reason as claim 3.

18.   Claim 11 is rejected for the same reason as claim 4.

19.   Claim 12 is rejected for the same reason as claim 5.

20.   Claim 13 is rejected for the same reason as claim 6.

21.   Claim 14 is rejected for the same reason as claim 7.

22.   Regarding Claim 15, Leong et al teach a printing method for outputting a print by

using a plurality of laboratory servers based on order information representing the

content of an order for the print and transferred via a network, the printing method

comprising the steps of: receiving the order information transferred from a customer

service system (spooler 410 receives print requests from one or more clients 200);

selecting one of the laboratory servers to output the print, based on predetermined

information (appropriate output devices); and transferring the order information to the

selected laboratory server (supervisor 420 delivers data to the various output devices

500) (col. 4, lines 4-41).

Leong et al fail to teach a printing method for outputting a print, the printing

method comprising the steps of: receiving the order information transferred from a

customer service system receiving the order information described by a customer via the network.

Redd et al teach a printing method for outputting a print, the printing method comprising the steps of: receiving the order information transferred from a customer service system receiving the order information described by a customer via the network (web front computer system receives customer input or requests from the network 310) (col. 10, lines 32-36).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Leong with the teaching of Redd to upload the content of the print job to the client for printing at one of several output devices.

23.   Claim 16 is rejected for the same reason as claim 15.

24.   Regarding Claim 17, Leong et al teach a printing method for outputting a print by using a plurality of laboratory servers comprising the steps of: receiving order information (print requests); selecting one of the laboratory servers to output the print, based on predetermined information (characteristics of the associated physical printers); and transferring the order information to the selected laboratory server (supervisor 420 delivers data to the various output devices) (col. 4, lines 4-41).

Leong et al fail to teach a printing method comprising: receiving order information comprising customer information and information representing the content of an order via a network.

Redd et al teach a printing method comprising: receiving order information

comprising customer information (Fig. 7, recipient's address 906) (col. 17, lines 10-39)

and information representing the content of an order (Fig. 5, Step 404) (col. 14, lines 31-

54) via a network (web front computer system receives customer input or requests from

the network 310) (col. 10, lines 32-36).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to have combined the teachings of Leong with the teaching of Redd to

upload the customer information and content of the print job to the client for printing at

one of several output devices.

25.   Claim 18 is rejected for the same reason as claim 18.

26.   Regarding Claim 19, Leong et al teach an order assigning method comprising the

steps of: receiving order information representing the content of an order for a print

described by a customer (print requests); selecting one of a plurality of laboratory

servers to output the print, based on predetermined information (characteristics of the

associated physical printers); and transferring the order information to the selected one

of the laboratory servers (supervisor 420 delivers data to the various output devices)

(col. 4, lines 4-41).

Leong et al fail to teach an order assigning method comprising the steps of:

receiving order information including customer information and representing the content

of an order for a print described by a customer.

Redd et al teach an order assigning method comprising the steps of: receiving

order information including customer information (Fig. 7, recipient's address 906) (col.

17, lines 10-39) and representing the content of an order for a print described by a customer (Fig. 5, Step 404) (col. 14, lines 31-54).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Leong with the teaching of Redd to upload the customer information and content of the print job to the client for printing at one of several output devices.

27.   Claims 20 and 21 are rejected for the same reason as claim 19.

Conclusion

28.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571)

272-7468. The examiner can normally be reached on Monday thru Friday 8am -
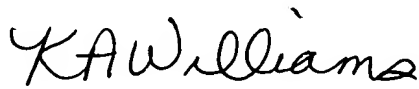
4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Satwant K. Singh
Examiner
Art Unit 2625

sks

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER